



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of: Forbes, et al

Application No.: 09/804,050

Group No.: 3617

Filed: March 12, 2001

Examiner: Olson, Lars A.

Title: DROPPED DECK CENTER BEAM RAIL ROAD CAR

Mail Stop: Issue Fee  
Att'n: Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION AFTER ALLOWANCE REGARDING PATENT TERM ADJUSTMENT

Sir:

This application was allowed on May 25, 2005 and the Issue Fee will be paid on or shortly before August 25, 2005.

One of the attachments to the Notice of Allowance and Issue Fee was a Determination of Patent Term Adjustment under 35 U.S.C. §154(b) that indicates that the "patent term adjustment" to date is 110 days.

However, as can be seen from the attached Patent Term Adjustment Chart, during the period from December 18, 2002 through September 16, 2003, the application was under a 3 month

---

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 8/22/05

Teri Naehring  
(Type or print name of person mailing paper)

*Teri Naehring*  
(Signature of person mailing paper)

period of suspension. In the Request for Continued Examination filed December 18, 2002, applicant requested a 3 month suspension of prosecution. Since prosecution was suspended from December 18, 2002 until March 18, 2003, it would appear that the starting date for determining whether the USPTO response was timely or not should be March 18, 2003.

In view of the foregoing, it is respectfully requested that the Office of Patent Legal Administration re-check the Patent Term Adjustment calculation and issued a corrected Determination of Patent Term Adjustment as needed.

Date

*August 22, 2005*



Michael H. Minns

Reg. No. 31,985

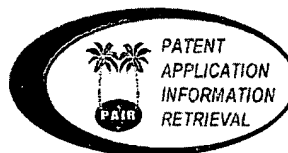
Hahn Loeser + Parks LLP  
One GOJO Plaza, Suite 300  
Akron, Ohio 44311-1076  
(330) 864-5550



United States Patent and Trademark Office

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

## PATENT APPLICATION INFORMATION RETRIEVAL



### Patent Term Adjustment (PTA) for publication number: 09/804,050

			Days
Filing or 371(c) Date:	03-12-2001	USPTO Delay (PTO):	151
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	41
Post-Issue Petitions (days):	+0	Total PTA:	110
USPTO Adjustment (days):	+0	Explanation of Calculations	

#### Search Options

Assignments
Continuity Data
Display References
Image File Wrapper
File History
Publication Review
Published Documents

### Patent Term Adjustment History

Date	Contents Description	PTO (days)	APPL (days)
05-25-2005	Mail Notice of Allowance		
05-16-2005	Issue Revision Completed		
05-16-2005	Notice of Allowance Data Verification Completed		
05-13-2005	Mail Notice of Withdrawn Action		
05-13-2005	Mail Miscellaneous Communication to Applicant		
05-12-2005	Miscellaneous Communication to Applicant - No Action Count		
05-12-2005	Notice of Allowability		
05-12-2005	Letter Withdrawing / Vacating Office Action		
08-27-2004	Workflow incoming amendment IFW		
06-28-2004	Record Petition Decision of Granted to Withdraw from Issue		
06-25-2004	Workflow - Request for RCE - Begin		
06-25-2004	Petition Entered		
06-18-2004	Petition Decision - Granted		
03-12-2001	Workflow - Drawings Matched with File at Contractor		
03-12-2001	Workflow - Drawings Matched with File at Contractor		
12-10-2003	Petition Entered		
01-07-2004	Mail Response to 312 Amendment (PTO-271)		
01-07-2004	Response to Amendment under Rule 312		
12-10-2003	Amendment after Notice of Allowance (Rule 312)		
12-08-2002	Workflow - Request for RCE - Finish		
12-10-2003	Issue Fee Payment Received		

09-30-2003	Receipt into Pubs		
09-27-2003	Dispatch to Publications		
09-16-2003	Mail Notice of Allowance	151	
09-15-2003	Notice of Allowance Data Verification Completed	↑	
09-15-2003	Notice of Allowability	↑	
07-09-2003	Date Forwarded to Examiner	↑	
07-09-2003	to Close the A/R Record and Reset the Status for Expired Suspensions.	↑	
03-12-2003	Mail Letter Suspending Prosecution at Applicant's Request	↑	
03-12-2003	Letter of Suspension - Applicant Initiated	↑	
12-18-2002	Letter Requesting Suspension of Prosecution	↑	
03-12-2003	Date Forwarded to Examiner	↑	
12-18-2002	Request for Continued Examination (RCE)	↑	
03-12-2003	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	↑	
12-18-2002	Information Disclosure Statement (IDS) Filed	↑	
01-28-2003	Date Forwarded to Examiner	↑	
12-18-2002	Request for Continued Examination (RCE)	↑	
01-28-2003	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
12-18-2002	Workflow - Request for RCE - Begin		
10-18-2002	Workflow - Request for RCE - Finish		
10-18-2002	Workflow - Request for RCE - Begin		
11-19-2002	Receipt into Pubs		
10-10-2002	Receipt into Pubs		
09-27-2002	Workflow - File Sent to Contractor		
09-27-2002	Receipt into Pubs		
09-25-2002	Dispatch to Publications		
09-19-2002	Mail Notice of Allowance		
09-19-2002	Mail Examiner Interview Summary (PTOL - 413)		
09-18-2002	Notice of Allowance Data Verification Completed		
09-18-2002	Notice of Allowability		
09-09-2002	Examiner Interview Summary Record (PTOL - 413)		
08-05-2002	Mail Final Rejection (PTOL - 326)		
08-05-2002	Final Rejection		
06-26-2002	Date Forwarded to Examiner		
06-10-2002	Response after Non-Final Action		41
06-10-2002	Request for Extension of Time - Granted	↑	
01-29-2002	Information Disclosure Statement (IDS) Filed	↑	
01-30-2002	Mail Non-Final Rejection	↑	
01-25-2002	Non-Final Rejection		
07-20-2001	Case Docketed to Examiner in GAU		
07-13-2001	Application Dispatched from OIPE		
04-10-2001	Application Is Now Complete		
04-10-2001	Notice Mailed--Application Incomplete--Filing Date Assigned		
04-09-2001	Correspondence Address Change		
03-28-2001	IFW Scan & PACR Auto Security Review		
03-12-2001	Initial Exam Team nn		